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Attorneys for Secured Creditor, The Bank of New York Mellon,  
f/k/a The Bank of New York as Trustee for Registered Holders  
of CWABS, Inc., Asset-Backed Certificates, Series 2004-5

In Re	:	UNITED STATES BANKRUPTCY COURT
	:	FOR THE DISTRICT OF NEW JERSEY
Rafael D. Martinez	:	
aka Rafael Delgado	:	Chapter 7
	:	Case No. 18-27867-CMG
Debtor.	:	
	:	NOTICE OF MOTION TO VACATE
	:	AUTOMATIC STAY
	:	HEARING DATE:

TO: Debtor in Pro Se, Trustee, and all interested Parties

PLEASE TAKE NOTICE that on November 13, 2018 at 9:00 a.m., or as soon as the matter may be heard, the undersigned, attorneys for Secured Creditor The Bank of New York Mellon, f/k/a The Bank of New York as Trustee for Registered Holders of CWABS, Inc., Asset-Backed Certificates, Series 2004-5, will move before the Honorable Christine M. Gravelle of the United States Bankruptcy Court, Clarkson S. Fisher U.S. Courthouse, 402 East State Street, Trenton, New Jersey for the entry of an Order vacating the Automatic Stay with respect to the Debtor's property located at **2611 Marne Highway, Hainesport, New Jersey 08016** and allowing Secured Creditor to continue or institute a foreclosure action, by reason of the failure of Debtor to make his regular monthly payments.

Creditor further requests the entry of an Order that, in addition to foreclosure, permits activity necessary to obtain possession of said collateral; therefore, all communications sent by Movant in connection with proceeding against the property including, but not limited to, notices

required by state law and communications to offer and provide information with regard to a potential Forbearance Agreement, Loan Modification, Refinance Agreement, Loss Mitigation Agreement, or other Loan Workout, may be sent directly to Debtor

Dated: 10/23/2018

By: /s/ Warren S. Jones, Jr.  
WARREN S. JONES, JR., ESQUIRE  
Retained Counsel for Secured Creditor